MONTANA LEGISLATIVE HISTORY

Chapter 250 19 65

Bill H _____ S 168 Original bill & history ____C

H. Committee on Education			S. Committee on Highways & Transportation		
Hearing Date(s)	Feb 20	✓ C	Hearing Date(s)	Feb 5	✓ C
	Feb 24	✓ C		_____	____C
	_____	____C		_____	____C
	_____	____C		_____	____C
Date Out	Feb 24	✓ C		Feb 5	✓ C

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

MINUTES OF MEETING OF THE
HIGHWAY AND TRANSPORTATIONCOMMOTTEE
STATE SENATE

February 5, 1965

A meeting of the Highway and Trasnportation Committee was called to order by Chairman Bovey, February 5, 1965, at 3:30 p.m. in room 407 of State Capitol.

Roll Call: All members except Senator Cole were present.

CONSIDERATION OF SENATE BILL NO. 168. Graham, Big Horn Co., Amber flashing lights on school buses as well as flashing red lights. Senator Graham,author of the bill, and Alex Stephenson of the State Highway Patrol appeared for the bill. This system is now being used in New Jersey on school buses, consequently, New Jersey has redused their school bus accidents by 72%. When motorists are approaching a school from front or back at present there is no way to determine whether they are stopped or moving. These flashing lights would serve as a warning before the bus stops. The motorist is almost trapped now in not knowing what to do. There would probably be a short training period for the bus drivers, but it should be adapted very easily by both the bus and the general public.

MOVED BY SENATOR MCGOWAN THAT SENATE BILL NO. 168 DO PASS; SECOND,SENATOR MICHELS; CARRIED.

CONSIDERATION OF SENATE BILL NO. 153. Senator McGowan, Choteau Co., Temporary and Permanent Ports of Entry and Checking Stations. He said that no one objected to this bill as far as he knew. Truckers coming into the state would have to pay only about $10 tax for going clear through the state. The whole purpose of th e bill was to get the money from the night truckers that are coming through the state. Alex Stephenson, Supervisor of the State Highway Patrol also spoke for the bill. He said it would cost about one-fourth of a million dollars to build these plants.
Discussion: It was decided to amend the effective date from January 1, 1969 to June 30, 1967.
MOVE THAT SENATE BILL NO. 153 DO PASS AS AMENDED - McGowan; SECOND, SENATOR MICHELS; CARRIED.

CONSIDERATION OF SENATE BILL NO. 133 Senator Brenner, Beaverhead author spoke on the bill, defining FRONTAGE ROAD. When we complete the Interstate there will be no primary highways left so we will have to maintain the frontage roads. It is going to be entirely too much of a burden on some of the smaller counties--small in population and large in area.

Don MaPherson, Attorney for the highway spoke on the bill and answered any questions.
MOVED BY SENATOR MAHONEY THAT SENATE BILL NO. 133 DO PASS; SECONDED, SENATOR BENTZ; CARRIED.

EDUCATION COMMITTEE
February 20, 1965

Chairman Aasheim called the meeting of the Education Committee together at 2:00 p.m., February 20, in Room 420. The secretary called the roll. Nine members present. Shugrue, Gilfeather, Brenner, Crum, Leuthold, Rehberg, and Smiley absent.

SB-109 and SJR-15 discussed informally. Further consideration on SB-109 passed for the day.

SB-185 discussed informally. Motion by Lund that SB-185 be passed for the day. Motion seconded and carried.

SB-204 under consideration. Discussed informally.

SB-28 under consideration. Informally discussed. Chairman Aasheim appointed the following sub-committee to study SB-28 and make recommendations by Wednesday, February 24:

Watt
Lund

SB-180 under consideration. Discussed informally.

SB-143 under consideration. Discussed informally.

SB-168 under consideration. Discussed informally.

SB-176 under consideration. Discussed informally. Chairman Aasheim appointed Gunderson to make a further study of SB-176 regarding its similarity to HB-170 in the Senate and report back on Monday, Feb. 22.

Meeting adjourned at 3:30 p.m.

Magnus Aasheim
Magnus Aasheim, Chairman

Vera Lansing, Secretary

EDUCATION COMMITTEE
February 24, 1965

Chairman Aasheim called the meeting of the Education Committee together at 5:30 p.m., February 24, in room 420. The secretary called the roll. Fourteen members present. Hanks and Crum absent.

SB-28 under consideration. Sen. Thiessen testified in favor of SB-28. Discussion followed.

SB-180 under consideration. Sen. Thiessen testified in favor of the bill. Discussion followed.

Rep. Christiansen testified in favor of SB-168. The following testified as opposing SB-168: Mr. Ralph Olson, in charge of school buses for School District #1, Silver Bow County; Mr. Jerry D. O'Reilly, Supervisor of Transportation for the School District at Great Falls; Mr. George Forsman, Anaconda; Bob Steele, representing the S&H Bus Company, Great Falls, for School District #1; and Mr. William Bardon, operator of the school buses in Helena.

Mr. Al Dubbe, Executive Secretary, University of Montana, testified in regard to SB-109.

Mr. Al Dubbe, Executive Secretary, University of Montana, testified in regard to SB-207.

Motion by Gilfeather that SB-28 be concurred in. Motion seconded. Discussion followed.

Substitute motion by Gilfeather that SB-28 be amended in the title, on the third line of the printed bill, by striking the word "IS" following the word "INDEBTEDNESS" and inserting instead the words "MAY BE", be further amended in Section 1, page 1 of the printed bill on line 15 by striking the word "shall" and inserting instead the word "may", be further amended by striking the word "shall" on page 5, line 100 of the printed bill and inserting instead the word "may", be further amended by striking the word "shall" in the fourth line from the bottom of the 2-11-65 Senate Committee of the Whole Amendment and inserting instead the word "may" and be further amended by adding in front of the new material on line 3 of the 2-8-65 Senate Committee on Education Amendment the following: "If an indebtedness by any district is being assumed by any one of the consolidated districts, and by striking the quotes " before the word "At" and changing the word "At" to lower case on line 3 of the same amendment, and as amended that SB-28 be concurred in. Motion lost. Original motion lost.

Motion by Rehberg that SB-180 be concurred in. Motion seconded and carried.

Motion by Christiansen that SB-168 be amended in the title, line 7, page 1 of the original bill, being line 3 of the title, page 1 of the printed bill following the word "BUS" by adding "COMMENCING WITH THE 1966 MODELS", and be further amended in Section 1, line 29, page 1

or the original bill, being Section 1, line 17, page 2 of the printed bill following the word "bus" by adding "commencing with the 1966 models", and as amended be concurred in. Motion seconded.

Substitute motion by Shugrue that SB-168 be not concurred in. Motion seconded and carried.

Motion by Lund that SB-207 and SB-109 be referred to the Appropriations Committee. Motion seconded and carried.

Motion by Rehberg that SB-158 be amended in the title, lines 5 and 6 of the original bill, being lines 3 and 4 of the title in the printed bill, by striking the words "ONE OR MORE MILES BUT", be further amended by striking the following words in Section 1, line 13 of the original bill, page 1, being line 3 of the printed bill, "one (1) mile or more but", be further amended by striking the period "." in Section 1, line 17 of the original bill, being line 7, page 1, of the printed bill and adding the following: ", providing, however, the trustees shall in making such agreements give preference to those children living the farthest from the school to be attended.", and as amended, be concurred in. Motion seconded and carried.

Motion by Christiansen that SB-185 be postponed for further discussion. Seconded and carried.

Meeting adjourned at 6:50 p.m.

Magnus Aasheim

Magnus Aasheim, Chairman

Vera Lansing, Secretary

Requirements of buses and drivers.

Section 3. All school bus vehicles and drivers utilized under the provisions of this act shall meet the minimum standards set forth in section 75-3308, R. C. M. 1947.

Transportation fund.

Section 4. The transportation fund of the school budget shall be utilized for the purpose of budgeting and accounting for all collections of charges and fees authorized by this act. Such moneys shall be accounted for separately from public moneys.

Approved March 9, 1965.

CHAPTER 250

An Act Requiring Two Red and Two Amber Flashing Lights on the Front and Rear of Each School Bus; Providing that Amber Lights Shall be Actuated Approximately Five Hundred Feet Before a School Bus Is Stopped to Receive or Discharge School Children; and Amending Sections 32-21-132, 32-2197, 32-2198, and 75-3308, R. C. M. 1947; Providing for an Effective Date of July 1, 1966.

Be it enacted by the Legislative Assembly of the State of Montana:

Amending clause.

Section 1. Section 32-21-132, R. C. M. 1947, is amended to read as follows:

Emergency vehicle to have device capable of giving an audible signal.

"32-21-132. (a) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive markings required by this act, be equipped with a siren, exhaust whistle or bell capable of giving an audible signal.

Emergency vehicle —signal lamps.

(b) Every authorized emergency vehicle shall, in addition to any other equipment and distinctive markings required by this act, be equipped with signal lamps mounted as high and as wide spaced laterally as practicable, which shall be capable of displaying to the front two (2) alternately flashing red lights located at the same level and to the rear two (2) alternately flashing red lights located at the same level, and these lights shall have sufficient intensity to be visible at five hundred (500) feet in normal sunlight.

School bus —signal lamps.

(c) *Every bus used for the transportation of school children shall, in addition to any other equipment and distinctive markings required by this act, be equipped with*

signal lamps mounted as high and as widely spaced laterally as practicable, displaying to the front two (2) red and two (2) amber alternating flashing lights and to the rear two (2) red and two (2) amber alternating flashing lights. These lights shall have sufficient intensity to be visible at five hundred (500) feet in normal sunlight. The warning lights shall be of a type, and located on each bus, as prescribed by the state board of education and approved by the supervisor of the highway patrol.

Police vehicle.

(d) A police vehicle when used as an authorized emergency vehicle may but need not be equipped with alternately flashing red lights specified herein. The use of the signal equipment described herein shall impose upon drivers of other vehicles the obligation to yield right of way and stop as prescribed in sections 32-2175 and 32-2197."

Yielding of right of way.

Amending clause.

Section 2. Section 32-2197, R. C. M. 1947, is amended to read as follows:

Vehicle overtaking or meeting school bus which is stopped or preparing to stop.

"32-2197. (a) The driver of a vehicle upon a highway outside the corporate limits of any city or town upon meeting or overtaking from either direction any school bus which has stopped *or is preparing to stop* on the highway for the purpose of receiving or discharging any school children shall stop the vehicle before reaching such school bus when there is in operation on said bus a visual signal as specified in section 32-21-132 and said driver shall not proceed until such school bus resumes motion, or is signaled by the school bus driver to proceed as the visual signals are no longer actuated.

Marking of school bus—lights.

(b) Every bus used for the transportation of school children shall bear upon the front and rear thereof plainly visible signs containing the words 'SCHOOL BUS' in letters not less than eight (8) inches in height, and in addition shall be equipped with visual signals meeting the requirements of section 32-21-132. *Amber flashing lights shall be actuated by the driver approximately one hundred and fifty (150) feet in cities, and approximately five hundred (500) feet in other areas before the bus is stopped to receive or discharge school children. Red lights* shall be actuated by the driver of said school bus whenever but only whenever such vehicle is stopped on the highway for the purpose of receiving or discharging school children.

School bus used for other purposes.

(c) When a school bus is being operated upon a highway for purposes other than the actual transportation of

children either to or from school all markings thereon indicating 'SCHOOL BUS' shall be covered or concealed.

Vehicle meeting or passing a bus on a different roadway.

(d) The driver of a vehicle upon a highway with separate roadways need not stop upon meeting or passing a school bus which is on a different roadway or when upon a controlled access highway and the school bus is stopped in a loading zone which is a part of or adjacent to such highway and where pedestrians are not permitted to cross the roadway."

Amending clause.

Section 3. Section 32-2198, R. C. M. 1947, is amended to read as follows:

Operation of flashing lights on school bus—unlawful when.

"32-2198. It shall be unlawful to operate any flashing warning signal light on any school bus except when any said school bus *is preparing to stop or* is stopped on a highway for the purpose of permitting school children to board or alight from said school bus."

Amending clause.

Section 4. Section 75-3308, R. C. M. 1947, is amended to read as follows:

Rules and regulations for school buses and transportation of children.

"75-3308. (1) That the state board of education, by and with the advice of the supervisor of the Montana highway patrol and the superintendent of public instruction, shall adopt and enforce regulations not inconsistent with the motor vehicle code and the minimum standards for school buses, adopted by the national commission on safety education to govern the design, construction and operation of all school buses used for the transportation of school children when owned and operated by any school district or privately owned and operated under contract with any school district in this state and such regulations shall by reference be made a part of any such contract with a school district.

Persons subject to regulations.

(2) Every school district, its officers and employees, and every person employed under contract by a school district shall be subject to such regulations.

Regulations to include provisions.

(3) These regulations shall include provisions that no person shall drive or operate, or be employed or permitted to drive or operate, any school bus who has not received and filed with the county superintendent of schools a certificate from the board of trustees of the school district for which the school bus is to be driven or operated, certifying the following:

a. That he is at least twenty-one (21) years of age.

b. That he is of good moral character.

c. That he is the holder of a chauffeur's license.

d. That he has filed with the board of trustees a satisfactory physical examination signed by a licensed physician in the state of Montana on a blank provided by the state board of education.

"Approved school bus."

(4) The term 'approved school bus' shall mean every motor vehicle owned by a public or governmental agency and operated for the transportation of children to or from school or privately owned and operated and under contract for transportation of children to or from school.

School bus markings.

(5) Every approved school bus used for the transportation of school children shall bear upon the front and rear thereon a plainly visible sign containing the words 'school bus' in letters not less than eight (8) inches in height. When a school bus is being operated upon a highway for purposes other than actual transportation of children either to or from school or for school functions, all markings thereon indicating 'school bus' shall be covered or concealed.

Standards and specifications of lighting equipment on school buses.

(6) The Montana state board of education is authorized to adopt standards and specifications applicable to lighting equipment on and special warning devices to be carried by school buses, consistent with the provisions of this act, but supplemental thereto; except that such standards and specifications may designate and permit the use of flashing warning lights on school buses for the purpose of indicating when children are boarding or alighting from any said bus. Such standards and specifications shall correlate with and, so far as possible, conform to the specifications then current as approved by the society of automotive engineers.

Operation of flashing warning signal lights—unlawful when.

It shall be unlawful to operate any flashing warning signal light on any school bus except when any said school bus *is preparing to stop or* is stopped on a highway for the purpose of permitting school children to board or alight from said school bus."

Effective July 1, 1966.

Section 5. This act shall be in full force and effect from and after July 1, 1966.

Approved March 9, 1965.